

# HOUSE BILL No. 1099

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-10-8-4.5; IC 3-10-8-9; IC 7.1-5-10-1.

**Synopsis:** Alcohol sales on Christmas and election days. Removes the prohibition against the sale of alcoholic beverages on election days and Christmas Day. Provides that Christmas Day sales must be for on premises consumption.

**Effective:** July 1, 1999.

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January 6, 1999, read first time and referred to Committee on Rules and Legislative Procedures.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## HOUSE BILL No. 1099

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 3-10-8-4.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4.5. Whenever the  
3 election division receives a notice under section 4 of this chapter, the  
4 election division shall notify the following offices and agencies that a  
5 special election will be conducted within all or part of Indiana:

6 (1) Each agency serving persons with disabilities and designated  
7 as a voter registration site under IC 3-7-16.

8 (2) Armed forces recruitment offices in accordance with  
9 procedures established under IC 3-7-17.

10 (3) Each agency designated as a voter registration site and subject  
11 to IC 3-7-18.

12 ~~(4) The alcoholic beverage commission for purposes of enforcing~~  
13 ~~IC 7-1-5-10-1.~~

14 ~~(5) (4) The bureau of motor vehicles for voter registration~~  
15 ~~purposes under IC 9-24-2.5.~~

16 ~~(6) (5) The adjutant general for purposes of enforcing~~  
17 ~~IC 10-2-4-16.~~



~~(7)~~ (6) The division of family and children for voter registration purposes under IC 12-14-1.5, IC 12-14-25, and IC 12-15-1.5.

~~(8)~~ (7) The state department of health for voter registration purposes under IC 16-35-1.6.

~~(9)~~ (8) The Federal Voting Assistance Program of the United States Department of Defense, for notification of absent uniformed services voters and overseas voters.

SECTION 2. IC 3-10-8-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. (a) If the special election occurs during the period when registration is open under IC 3-7-13, the registration period continues through the twenty-ninth day before the special election occurs and resumes on the first day of the month following the month in which the special election is conducted.

(b) The election board conducting the special election shall provide poll lists for use at the precincts that include the names of voters in the precinct who:

(1) have registered through the twenty-ninth day before the special election is to be conducted; or

(2) are absent uniformed services voters or overseas voters registered under IC 3-7-36.

(c) This subsection applies when a special election is ordered by a court under IC 3-12-8-17 or the state recount commission under IC 3-12-11-18. A candidate may not be placed on the special election ballot unless the candidate was on the ballot or was a declared write-in candidate for the office at the general election preceding the special election.

~~(d) The restrictions on the sale of alcoholic beverages set forth in IC 7.1-5-10-1 apply in each precinct in which the special election is conducted.~~

SECTION 3. IC 7.1-5-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) It is unlawful to sell alcoholic beverages at the following times:

~~(1) At~~ a time other than that made lawful by the provisions of IC 7.1-3-1-14.

~~(2) On Christmas Day and until 7:00 o'clock in the morning, prevailing local time; the following day.~~

~~(3) On primary election day, and general election day, from 3:00 o'clock in the morning, prevailing local time, until the voting polls are closed in the evening on these days.~~

~~(4) During a special election under IC 3-10-8-9 (within the precincts where the special election is being conducted), from 3:00 o'clock in the morning until the voting polls are closed in the~~



1 ~~evening on these days.~~

2 (b) During the time when the sale of alcoholic beverages is  
3 unlawful, no alcoholic beverages shall be sold, dispensed, given away,  
4 or otherwise disposed of on the licensed premises, and the licensed  
5 premises shall remain closed to the extent that the nature of the  
6 business carried on on the premises, as at a hotel or restaurant, permits.

7 (c) It is unlawful to sell alcoholic beverages on **Christmas Day and**  
8 New Year's Day for off-premises consumption.

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